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C O N F I D E N T I A L SECTION 01 OF 03 ZAGREB 003839

SIPDIS

WARSAW ALSO FOR A/S SHATTUCK

BRUSSELS ALSO FOR USEU

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USVIENNA ALSO FOR USDEL CSCE

E.O. 12356: 9/30/00

TAGS:

SUBJECT: DEPUTY PM TELLS A/S SHATTUCK GOC PLANS TO
REPATRIATE ABDIC MUSLIMS, WILL CUT OFF
ASSISTANCE TO BOSNIAN REFUGEES

1. CONFIDENTIAL - ENTIRE TEXT.

SUMMARY

2. DEPUTY PM KOSTOVIC TOLD VISITING DRL A/S SHATTUCK THAT THE CROATIAN GOVERNMENT HAS DECIDED TO REPATRIATE THE 20,000 ABDIC REBEL MUSLIMS IN THE KUPLJENSKO CAMP NEAR VOJNIC AFTER 10-15 DAYS IF NO AGREEMENT IS REACHED IN THE INTERIM FOR THEIR RETURN. CROATIA, BOSNIA, AND TURKEY WOULD PROVIDE AN INTERNATIONAL POLICE FORCE TO PROVIDE FOR THEIR SAFETY. KOSTOVIC REQUESTED USG ASSISTANCE TO PRESSURE THE GOBH TO PROVIDE GUARANTEES FOR THEIR SAFE RETURN. HE CLAIMED THAT THE REVOCATION OF REFUGEE STATUS DECREE FOR BOSNIANS FROM THE FEDERATION AND THE NEWLY LIBERATED TERRITORIES WOULD NOT FORCIBLY REPATRIATE THEM, BUT "ONLY" CUT OFF THEIR FINANCIAL ASSISTANCE. HOWEVER, HE ADDED THAT WHILE ETHNIC CROAT DUAL NATIONALS WOULD BE LEGALLY ALLOWED TO STAY, OTHERS (MUSLIMS FROM B-H) WOULD NOT BE PERMITTED TO REMAIN. KOSTOVIC AGREED TO WORK WITH GRANIC TO SET UP A NEW PROCEDURE IN THE BELGRADE MISSION OF THE GOC FOR SERBS TO APPLY TO RETURN. END SUMMARY.

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ABDIC REFUGEES

3. DEPUTY PRIME MINISTER DR. IVICA KOSTOVIC, WHO IS RESPONSIBLE FOR THE REINTEGRATED TERRITORIES, TOLD DRL A/S JOHN SHATTUCK ON SEPTEMBER 30 THAT, AT A NATIONAL SECURITY COUNCIL MEETING EARLIER THAT MORNING, THE GOC HAD MADE THE POLITICAL DECISION TO REPATRIATE THE 20,000 ABDIC MUSLIMS AT THE KUPLJENSKO CAMP WITHIN THE NEXT 10-15 DAYS. (NOTE: THESE PEOPLE HAVE NOT BEEN GIVEN REFUGEE STATUS BY THE GOC BECAUSE IT BELIEVES THAT VELIKA Kladusa IS A SAFE PLACE TO RETURN. END NOTE.) WINTERIZING THE CAMP WAS NOT AN OPTION THE GOC WOULD CONSIDER. THE GOC HAD AGREED TO A TRIPARTITE TURKISH, BOSNIAN, AND CROATIAN POLICE FORCE AND A TURKISH OMBUDSMAN TO MONITOR THE SECURITY OF THE TOWN. THE GOC ALREADY HAD THE LEGAL AUTHORITY TO REMOVE THE ARMED MEN IN THE CAMP AND WOULD SOON DO SO. KOSTOVIC CLAIMED THAT ALL BUT 400-1200 OF THE REFUGEES WOULD RETURN IF THE GOBH WERE TO ISSUE AN AMNESTY AND PROVIDE FOR THEIR RETURN. (COMMENT: THIS VIEW WAS SHARED BY SOME, BUT NOT ALL, UNHCR OFFICIALS AT KUPLJENSKO, DURING A/S SHATTUCK'S VISIT THERE SEPTEMBER 29. THE REFUGEES THEMSELVES, HOWEVER, CONTENTED AN AMNESTY ALONE WOULD BE INSUFFICIENT, UNTIL THE WAR IN BOSNIA WAS OVER.)

4. A/S SHATTUCK EMPHASIZED THAT THIS DECISION POSED SERIOUS CONCERNS FOR THE USG AND COULD DEVELOP INTO AN EXPLOSIVE SITUATION. HE URGED THE GOC TO RECONSIDER ANY FORCED REPATRIATION AND TO WORK WITH THE GOBH TO PROVIDE

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GUARANTEES FOR THEIR RETURN. KOSTOVIC RESPONDED THAT
CROATIA HAD A STRATEGIC INTEREST IN ENSURING THE
ESTABLISHMENT OF A NON-FUNDAMENTALIST, PEACEFUL ENTITY AT
ITS BORDER. THE GOC HAD ACCEPTED REQUESTS FROM SOME OF
THE SOLDIERS TO JOIN THE HVO AS A WAY TO PROMOTE THEIR
REINTEGRATION.

15. KOSTOVIC TOOK THE ASSISTANT SECRETARY'S POINT AND WAS
CONCERNED ABOUT AVOIDING A HUMAN CATASTROPHE. "I WAS
AGAINST USING FORCE. OTHER MINISTERS FELT DIFFERENTLY."
KOSTOVIC PROMISED TO RAISE THE ISSUE WITH PRESIDENT
TUDJMAN AND DEPUTY PRIME MINISTER MISETIC AND WARN THEM OF
ITS POTENTIAL DANGERS. "WE HAVEN'T HAD GOOD COOPERATION
WITH THE BOSNIAN GOVERNMENT" ON THIS ISSUE. HE REQUESTED
USG ASSISTANCE TO PRESSURE THE GOBH TO SOON PROVIDE NEW,
WRITTEN GUARANTEES FOR THE SAFE RE
TURN OF THESE PEOPLE.

REVOCATION OF STATUS DECREE

16. THE GOC'S SEPTEMBER 22 DIRECTIVE TO REVOKE REFUGEE

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ACTION EUR-01

INFO	LOG-00	AID-00	AMAD-01	CIAE-00	SMEC-00	OASY-00	ANHR-01
	SRPP-00	EB-01	OIGO-01	FBIE-00	H-01	TEDE-00	INR-00
	IO-02	L-01	ADS-00	M-00	NSAE-00	OIC-02	OMB-01
	PA-01	PM-00	PRS-01	P-00	SP-00	SSO-00	SS-00
	STR-01	TRSE-00	T-00	USIE-00	PMB-00	PRM-10	PRME-01
	PRMC-01	DRL-09	G-00	/036W			

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O 022002Z OCT 95
FM AMEMBASSY ZAGREB
TO SECSTATE WASHDC IMMEDIATE 7458
INFO AMEMBASSY WARSAW PRIORITY
USLO SKOPJE
DIA WASHDC
JOINT STAFF WASHDC//J-5PMA/J21//
AMEMBASSY LJUBLJANA
NATO EU COLLECTIVE
AMEMBASSY BELGRADE
USMISSION GENEVA
SECDEF WASHDC//ISA/ISP//
NSC WASHDC
AMEMBASSY SARAJEVO
USMISSION USUN NEW YORK

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STATUS FOR PEOPLE FROM THE FEDERATION AND NEWLY LIBERATED TERRITORIES WILL AFFECT ONLY THE FINANCIAL ASSISTANCE OF THESE REFUGEES, KOSTOVIC SAID. NO ONE WOULD BE FORCIBLY REPATRIATED, HE INSISTED. THE DIRECTIVE WOULD STOP ALL REFUGEE SUPPORT PAYMENTS (DM 7/DAY/PERSON FOR ACCOMMODATION), AND PROVIDE AN INCENTIVE FOR THEM TO RETURN HOME. THE GOC WOULD NOT STOP UNHCR AND OTHER AGENCIES FROM PROVIDING CONTINUING SUPPORT. HE SAID "MOST" MOST OF THE BOSNIAN REFUGEES IN CROATIA WERE ETHNIC CROATS, AND HAD EVERY RIGHT TO MOVE ACROSS THE BORDER FREELY. (COMMENT: IN FACT, ONLY ABOUT 55 PERCENT ARE.) THE GOVERNMENT COULD NOT FORCE THEM TO MOVE ANYWHERE. AS CITIZENS, THIS GROUP WOULD LOSE NEITHER ITS HEALTH INSURANCE NOR ITS EDUCATION BENEFITS. HOWEVER, OF THE 40,000 MUSLIM REFUGEES IN CROATIA, THOSE FROM FEDERATION AND LIBERATED TERRITORIES WOULD INDEED LOSE THEIR RIGHT TO STAY.

17. OPERATION MAESTRAL (LIBERATION OF WESTERN BOSNIA) WAS DESIGNED TO PROVIDE "LIVING ROOM" FOR MUSLIMS AND SPACE FOR THE FEDERATION, KOSTOVIC SAID. THE GOC HAD CONCLUDED AN AGREEMENT WITH THE GOBH FOR THE RETURN OF PEOPLE, AND THE GOBH DID NOT OBJECT TO ACCEPTING ITS PEOPLE. GERMANY
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WAS RETURNING REFUGEES TO CROATIA UNDER A SIMILAR BILATERAL AGREEMENT. WITHIN THE NEXT MONTH, THE GOVERNMENT WOULD RECONSIDER THE LIST OF PLACES MARKED SAFE FOR RETURN AND WOULD CARRY OUT THE DIRECTIVE ON A "STEP-BY-STEP" BASIS. KOSTOVIC ASSERTED THAT CROATIA UNDERSTOOD ITS OBLIGATIONS UNDER INTERNATIONAL LAW AND WOULD ADHERE TO THEM. HE OPINED THAT JAJCE AND GLAMOC WERE PROBABLY SAFE ENOUGH TO RETURN TO UNDER THIS DECREE. HOWEVER, GRAHOVO WAS DESTROYED AND HAD NO INFRASTRUCTURE TO SUPPORT RETURNING REFUGEES.

18. A/S SHATTUCK UNDERScoreD THE IMPORTANCE OF KEEPING OPEN THE OPTION OF THIRD COUNTRY RESETTLEMENT, AND OF BUILDING MORE FACILITIES WITH INTERNATIONAL CONTRIBUTIONS TO HOUSE REFUGEES RATHER THAN RETURN PEOPLE TO FRONT-LINE AREAS. KOSTOVIC ANSWERED THAT NO THIRD COUNTRY HAD OFFERED TO ACCEPT PERMANENT REFUGEES FROM CROATIA OR SERBIA, ONLY BOSNIA. BOTH SWEDEN AND DENMARK WERE RETURNING CROAT REFUGEES, AND THE SHEER NUMBERS OF THOSE RETURNING FROM GERMANY HAD PLACED SEVERE FINANCIAL AND OTHER DIFFICULTIES ON CROATIA. JAPAN AND OTHER COUNTRIES HAD OFFERED TO BUILD MORE SHELTERS, BUT THE GOVERNMENT HAD DECIDED TO INTEGRATE DPS AND REFUGEES INTO SOCIETY AS MUCH AS POSSIBLE AND WOULD BUILD NO MORE BARRACKS OR TENT CITIES. "WE DON'T NEED SHELTERS, WE NEED CASH," KOSTOVIC DECLARED. HE CLAIMED THAT CROATIA HAD RECEIVED NO INTERNATIONAL FINANCIAL HELP FOR THIS PURPOSE SINCE 1992.

RIGHT OF RETURN AND CITIZENSHIP ISSUES

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19. SHATTUCK INSISTED THAT CROATIA MUST ALLOW FOR THE RETURN OF ITS SERBIAN RESIDENTS. INTERNATIONAL PERCEPTIONS ABOUT THE COMMITMENT OF CROATIA TO A MULTI-ETHNIC SOCIETY WOULD TURN ON THE RETURN OF CROATIAN SERBS. SUCH A RETURN HAD TWO IMPEDIMENTS: THE GENERAL ATMOSPHERE OF HOSTILITY IN THE KRAJINA AND THE CONFISCATION OF SERB PROPERTY WITHOUT COMPENSATION.

110. KOSTOVIC ACKNOWLEDGED THESE IMPEDIMENTS, BUT SAID THE SECOND COULD NOT BE CHANGED. UNTIL THE PARLIAMENT WAS ELECTED AT THE END OF THE MONTH, IT WAS LEGALLY IMPOSSIBLE TO CHANGE THE PROPERTY LAW. HOWEVER, THERE WAS NO WISH

AMONG THE SERBS TO RETURN. MANY HAD LEFT WESTERN SLAVONIA LONG AFTER THE MILITARY ACTION HAD ENDED. SINCE THEN, "I SIGNED THE RETURN ORDER FOR 120 WEST SLAVONIAN SERBS, AND NONE ARRIVED. THIS WAS JUST A TEST CASE." ODPR HAD APPROVED DOCUMENTATION FOR 600 SERBS TO RETURN AND NONE HAD DONE SO EITHER. MAYBE SERBS DID NOT WANT TO RETURN BECAUSE THE GOC AMNESTY TERMINATED ON MAY 10, 1995, HE SUGGESTED. MEN WHO RETURNED FROM THE KRAJINA WERE SUBJECT TO ARREST FOR ARMED REBELLION AND PARAMILITARY ACTIVITIES. ACCORDING TO GOC LAW, MEMBERSHIP IN THE "ARSK" AFTER THE

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ACTION EUR-01

INFO	LOG-00	AID-00	AMAD-01	CIAE-00	SMEC-00	OASY-00	ANHR-01
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	IO-02	L-01	ADS-00	M-00	NSAE-00	OIC-02	OMB-01
	PA-01	PM-00	PRS-01	P-00	SP-00	SSO-00	SS-00
	STR-01	TRSE-00	T-00	USIE-00	PMB-00	PRM-10	PRME-01
	PRMC-01	DRL-09	G-00	/036W			
				-----F2856A	022003Z	/38	

O 022002Z OCT 95
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AMNESTY WAS ENOUGH TO BE ARRESTED. SHATTUCK EMPHASIZED THE IMPORTANCE OF REVISITING THESE LAWS, AND EXTENDING THE AMNESTY.

11. KOSTOVIC EXPLAINED THAT THE SERBS WHO FLED WERE A POPULATION OF POTENTIAL CROATIAN CITIZENS, BUT WERE NOT LEGAL CITIZENS UNTIL THEY APPLIED FOR AND RECEIVED CITIZENSHIP PAPERS, AS HAD ALL OTHER CROATIANS SINCE 1991. HE ADMITTED THAT THE CURRENT CATCH-22 APPLICATION PROCESS IN BELGRADE WAS INADEQUATE AND PRECLUDED A MASS RETURN.

ANOTHER PROCEDURE NEEDED TO BE IMPLEMENTED. HOWEVER, SERBIA WOULD NOT ALLOW THESE PEOPLE OUT, DESPITE ITS VOCAL CLAIMS TO THE CONTRARY. KOSTOVIC SAID HE WOULD ASK FOR ANOTHER COORDINATION MEETING WITH GRANIC TO SET UP A PROCEDURE IN THE BELGRADE GOC OFFICE FOR SERBS TO APPLY TO RETURN.

12. KOSTOVIC SAID HE COOPERATED WELL WITH THE ICRC AND OTHER AGENCIES ON THE ISSUE OF DESTRUCTION OF PROPERTY AND VIOLENCE COMMITTED AGAINST SERBS. "WE MUST PROSECUTE THE PERPETRATORS OF THESE CRIMES," HE INSISTED. HE RECOGNIZED THAT ALTHOUGH THE GOC CONDEMNED THESE ACTIONS, IT NEEDED TO DO MORE IN THE FIELD TO REPUDIATE ANY INSINUATION THAT

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IT CONDONED THEM.

MISSING PERSONS

13. KOSTOVIC ASKED FOR USG HELP TO FIND A GLOBAL SOLUTION FOR THE EXCHANGE OF INFORMATION BETWEEN ALL PARTIES CONCERNING THE MISSING AND THE DEAD. THE JNA HAS NEVER PRODUCED ANY DOCUMENTS. SUCH AN ACT WOULD HAVE ENORMOUS IMPACT FOR ALL SIDES, HE STATED.

14. THIS MESSAGE WAS NOT CLEARED BY A/S SHATTUCK BEFORE HIS DEPARTURE.

15. SARAJEVO MINIMIZE CONSIDERED.

GALBRAITH

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